IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4188 OF 2003

Dattu Vithu Shembade ... Petitioner

v/s

Vijaykumar D. Salunkhe and ors. ... Respondents

Mr Jahagirdar i/b Mr V.B. Rajure for Petitioner.

Mr T.S. Ingale for Respondent Nos.1 to 19.

CORAM : D.K. DESHMUKH J.

DATE : 20TH JULY 2005.

P.C. :-

1. An order of appointing Commissioner is an order of interlocutory nature, capable of being challenged with the order that may be passed in the suit. If the report of the Commissioner is not binding on the parties, they are entitled to challenge the same. I do not find any substance in the petition. It is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Personal Secretary of this Court as true copy.

. Certified copy expedited.